

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE VALVE ANTITRUST LITIGATION

No. 2:21-cv-00563-JCC

**PRAECIPE REGARDING VALVE
CORPORATION'S MOTION TO SEAL**

On March 12, 2024, Defendant Valve Corporation (“Valve”) filed its Motion to Seal portions of Plaintiffs’ Motion for Class Certification and Appointment of Co-Lead Class Counsel (“Class Certification Brief”) and exhibits attached to the Declaration of Alicia Cobb in support of Plaintiffs’ Motion (“Cobb Declaration”). (Dkt. 198.) In Valve’s Motion to Seal, Valve requested that the Court approve keeping sealed the unredacted versions of the Class Certification Brief, the Cobb Declaration, and certain exhibits, and keeping certain exhibits entirely under seal. On April 5, 2025, Valve filed its Reply in Support of Motion to Seal (Dkt. 216) and a revised Proposed Order Granting the Motion to Seal (Dkt. 216-1).

On April 23, 2024, the Court issued a Minute Order indicating that the compelling reasons (rather than the good cause) standard applies to Valve’s Motion to Seal. (Dkt. 224 at 1-

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2.) Accordingly, the Court has afforded Valve with the opportunity to provide the Court with a more detailed justification for maintaining exhibits and portions of the Class Certification Brief under seal. (*Id.* at 2.)

Valve has identified exhibits for which Valve respectfully requests narrowing or eliminating its prior request to keep material under seal. Valve submits this praecipe to provide the Court with corrected versions of the materials subject to Valve's Motion to Seal.

First, Valve narrows its request for redactions as to the Class Certification Brief. Attached to this praecipe as Exhibit A is a corrected version of the redactions Valve proposes in the Class Certification Brief, including redactions previously ordered by the Court (Dkt. 223; *see* Dkt. 189) and redactions relating to the Schwartz Report. Additionally, Exhibit A includes redactions (pg. 12:5–7; 12:7–10; 12:10–11) pertaining to or quoting from material in Exhibit 48 that the Court previously ordered sealed (Dkt. 223; *see* Dkt. 193).

Second, Valve narrows its request for redactions to the Cobb Declaration to account for Valve's narrowed sealing requests (Exhibit B).

Third, Valve narrows its request for redactions as to the following exhibits to the Declaration of Alicia Cobb:

- Exhibit 2, Dkt. 200-4 (Exhibit C).
- Exhibit 4, Dkt. 200-6 (Exhibit D).
- Exhibit 5, Dkt. 200-7 (Exhibit E).
- Exhibit 27 (previously requested to be sealed in its entirety, the Court granted Microsoft's motion to seal (Dkt. 193), narrowed version additionally redacts personally identifiable information) (Exhibit F).
- Exhibit 29 (previously requested to be sealed in its entirety, the narrowed version redacts only personally identifiable information) (Exhibit G).

- Exhibit 33, Dkt. 200-15 (Exhibit H).
- Exhibit 36, Dkt. 200-16 (Exhibit I).
- Exhibit 42, Dkt. 200-17 (the narrowed version redacts only personally identifiable information) (Exhibit J).
- Exhibit 47 (previously requested to be sealed in its entirety, the narrowed version redacts only personally identifiable information) (Exhibit K).
- Exhibit 48 (previously requested to be sealed in its entirety, the Court granted Microsoft's motion to seal (Dkt. 193), the narrowed version additionally redacts personally identifiable information) (Exhibit L).
- Exhibit 54 (previously requested to be sealed in its entirety) (Exhibit M).
- Exhibit 61, Dkt. 200-27 (Exhibit N).
- Exhibit 79, Dkt. 200-30 (Exhibit O).

Fourth, Valve withdraws its request to keep the unredacted versions of the following exhibits to the Declaration of Alicia Cobb under seal:

- Exhibit 17, Dkt. 200-10 (Exhibit P).
- Exhibit 19, Dkt. 200-11 (Exhibit Q).
- Exhibit 77, Dkt. 200-29 (Exhibit R).

Valve respectfully requests that the Court replace the previously filed documents with the versions attached hereto as Exhibits A–R. In order to account for Valve's withdrawal of Exhibits 17, 19, and 77 from the proposed relief, Valve respectfully requests that the Court replace the previously filed proposed order at 216-1 with the version attached hereto as Exhibit S.

Valve is prepared to submit highlighted versions of its proposed redactions under seal for the Court's convenience, if helpful.

1 DATED this 10th day of May, 2024.

2 *s/ Blake Marks-Dias*

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CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2024 I caused the foregoing document to be served via ECF on all counsel of record.

s/ Monica Dawson
Monica Dawson

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